

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>DR. JAMES EMORY SEASHOLTZ, and DR. IRA JOHN SEASHOLTZ, and WELCH MEDICAL CENTER HOSPITAL, Welch, Okla., and DOCTORS HOSPITAL CORPORATION, Welch, Oklahoma,</p> <p>vs.</p> <p>SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, WASHINGTON, D. C., and ROBERT HARDER, Director of Kansas State Department of Social Welfare, Topeka, Kansas; and ERNEST C. KIESWETTER, Medical Director for Kansas Dept. of Social Welfare Topeka, Kansas; and KANSAS STATE DEPT. OF SOCIAL WELFARE, Topeka, Kansas; and KANSAS BLUE CROSS AND BLUE SHIELD, Topeka Blvd., Topeka, Kansas, and Agents, et al.</p>	<p>For plaintiff:</p> <p>Dr. James Emory Seasholtz, Pro Se 1124 East Grand Street Springfield, Missouri 65804 (and as Pres. of Bd. of Directors of Welch Medical Center and Doctors Hospital Corporation, and as agent and friend of the court for Dr. Ira John Seasholtz, 35220 Weideman St., Mt. Clemens, Michigan)</p> <p>For defendant:</p> <p>Perry A. Krohn (Kan. BC/BS) ⁵⁸⁴⁻⁶¹⁰¹ 6th Floor Wright Building Tulsa, Okla. 74103 of counsel: Goodell, Casey, Briman, Rice & Cogswell 215 E. 8th Topeka, Kan. 66603</p> <p>Woody D. Smith (Harder, Kieswetter, and St. Dept. of Social Welfare) State Office Building Topeka, Kan. 66612</p> <p>Nathan G. Graham</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 6-1-72	Clerk	5/10 5-11-72	J. Seasholtz C.D. No. 50	15.00	15 00
J.S. 6 mailed 11-1-72	Marshal				
Basis of Action: Writ of Mandamus	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-10-72	Motion by the plaintiffs for an Order of Mandamus, filed. rm	Summons issued
5-22-72	Summons, ret. & filed: served Nathan G. Graham, U.S. Atty, NDO, at Tulsa and served Elliot Richardson, Secy. HEW, Wash. D.C., by certified mail, 5-17-72; Chief Administrative Officer, Kansas Blue Cross & Blue Shield by serving Wellington Jones, Jr., V-Pres., Kansas State Dept. of Social Welfare by serving Robert Jarde, Director, Ernest C. Kieswetter, Medical Dir. Ks. Dept. Social Welfare & Robert Harder, Dir. Ks. Dept. Social Welfare, Topeka, Ks. 5-18-72. (USM \$19.84)g	
6-6-72	Appl. of def. Kan. BC BS for ext. of time to ans., filed. rm	
6-6-72	Order enlarging time to plead to 6/21/72. (JHP-Clk.)rm	<i>Copies marked by atty</i>
6-6-72	Mo. of defs. Harder, Kieswetter, & Kan. State Dept. of Social Welfare for change of venue and for additional time to plead, filed. rm	
6-6-72	Brief in support of above mo/change of venue, filed. rm	
6-6-72	Ordered that plaintiffs are granted 10 days in which to respond to defs. motion for change of venue. (AEB-J)rm - ltr. written	
6-9-72	Motion (Response) of plaintiff to defendant's motion for change of venue, filed. copy to Marilyn. ds	
6-22-72	Appl. of def. Kan. BC/BS for add. time to plead, filed. rm	
6-26-72	Order granting def. Kan. BC/Bs an add. 30 days (to 7/26) to answer (AEB-J)rm	copies mailed
7-10-72	Motion of def. Sec. of HEW to dismiss, w/brief, filed. rm	
7-10-72	Ordered that pltf. is granted 10 days in which to respond to def. HEW's motion to dismiss. (AEB-J)rm - ltr. written	
7-12-72	Brief specifying law and evidence, filed by the plaintiff. Three notebooks are attached as exhibits, and are in the vault. v	
7-14-72	Plaintiff, Dr. Ira John Seasholtz' motion to withdraw, filed. ds	
7-19-72	Plaintiffs response to motion to dismiss, filed. ds	
9-15-72	Motion to dismiss of Deft. Kansas Blue Cross and Blue Shield, filed.	v Motion to bring July 9-18-72
9-18-72	Brief in support of motion to dismiss of deft. Kans. Blue Cross and Blue Shield, filed. hm	
9-18-72	Ordered that Pltf. file a response brief to mot. to dismiss of Kans. Blue Cross within 10 days. (AEB-J)hm	
9-19-72	Book Number 4 Addition Number 1 (put in vault with other 3 books).hm	
9-27-72	Answer of petitioners to respondents motion to dismiss, filed. rm	
9-28-72	Motion of pltf. for leave to amend pleadings, w/brief, filed. rm	
9-28-72	Ordered that defs. are granted 10 days in which to respond to pltf.'s mo. to amend pleadings. (AEB-J)rm - ltr. written	
10-6-72	Response to pltf's motion for leave to amend pleadings, filed. hm	
10-6-72	Response of deft. Ks. Blue Cross & Blue Shield to pltf's motion for leave to amend pleadings, filed. g	
10-17-72	Ordered by the Court that Magistrate conduct hearing on pltf's motion for an order of mandamus, motion of defts. Harder, Kieswetter & Kan. St. Dept. of Social Welfare for change of venue & for time to plead, pltf's motion in response to deft's motion, motion to dismiss of deft. Secy. of HEW, pltf. Dr. Ira Seasholtz's motion to withdraw & motion to dismiss of deft. Kan. Blue Cross & Blue Shield. (AEB-J)hm	
10-17-72	Hearing held on above motions. It is recommended that the motion of defts. Harder, Kieswetter & Kan. St. Dept. of Social Welfare for (cont)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	change of venue be sustained & that this case be transferred to the U.S. Dist. Ct. for the Dist. of Kansas for trial & disposition & that all other motions pending be ruled on by that Court. Mr. Graham to prepare recommendations within 5 days. (MLB-Mag)hm	
10-18-72	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
10-26-72	Order filed and entered, that Mot of defts for change of venue is granted; ordered that this case be transferred from this court to the U.S. Dist. Ct. for the Dist. of Kansas, filed and entered. (AEB-J)r (Copies mailed to attys)(Cert. copy of order to Kansas w/file)	
11-3-72	Receipt acknowledging that clerk of Kansas Dist, received documents stated in order of 10-26-72, filed. r	

DATE	PROCEEDINGS	Date Order or Judgment Noted